

United States Environmental Protection Agency
Washington, DC 20460**Position Description**

1. Duty Location

Washington D.C.

2. Position Number

A0-5-19

Classification Action

Reference of Series and Date of Standards Used To Classify This Position

GS-905, 10/59

		b. Title	Service c.	Series d.	Grade e.	CLC f.
Official Allocation	Attorney-Advisor		GS	905	14	001
4. Supervisor's Recommendation	Attorney-Advisor		GS	0905	14	
5. Organizational Title of Position (if any)			6. Name of Employee			
7. Organization (Give complete organizational breakdown)						
a. U.S. Environmental Protection Agency			e.			
b. Office of the Administrator			f.			
c. Office of Civil Rights			g.			
d. Discrimination Complaints and External Compliance Staff			h. EPAYS Organization Code			
8. Performance Management and Recognition System (PMRS) Certification for Positions in Grades GS/GM-13-15						
<input type="checkbox"/> S	First or second level supervisor of 3 or more employees engaged in substantive professional, technical, or administrative work. Duties include assigning, directing, and reviewing work, evaluating performance, recommending personnel actions, training and developing employees, etc.		<input type="checkbox"/> A An individual (as defined by Title VII of the Civil Service Reform Act) who is authorized to hire, direct, assign, promote, reward, transfer, lay off, suspend, discipline, or remove one or more employees, or effectively recommend such action. The exercise of this responsibility is not routine or clerical in nature but requires the consistent exercise of independent judgment.			
<input type="checkbox"/> M	A manager who directs the work of an organization; is accountable for the success of line or staff programs; monitors, evaluates, and adjusts program activities; and performs the full range of management duties outlined in the Supervisory Grade Evaluation Guide. May also include deputies who fully share responsibility for managing the organization or who serve as an alter ego to the manager.		<input type="checkbox"/> B A management official (as defined by Title VII of the Civil Service Reform Act) who formulates, determines, or influences an organization's policies. This means creating, establishing, or prescribing general principles, plans, or courses of action for an organization; deciding on plans or courses of action for an organization; or bringing about a course of action for the organization. Management officials must actively participate in shaping the organization's policies; not just interpret laws and regulations, give resource information or recommendations, or serve as experts or highly trained professionals who implement or interpret the organization's policies and plans.			
<input checked="" type="checkbox"/> N None of the above applies to this position. Exempt from PMRS.						
9. I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships, and that the position is necessary to carry out Governmental functions for which I am responsible. The certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations.						
a. Typed Name and Title of Immediate Supervisor		d. Typed Name and Title of Second-Level Supervisor				
Rodney Cash, Acting Associate Director Discr. Compl. & External Compliance Staff		Dan J. Rondeau, Director Office of Civil Rights				
e. Signature		c. Date		e. Signature		f. Date
Rodney Cash		11/22/94		Walt Pash		11/21/94
10. Official Classification Certification						
<input checked="" type="checkbox"/> a. This position has no known promotion potential		<input type="checkbox"/> b. If position develops as planned and employee progresses satisfactorily, this position has known promotion potential to grade -				
c. Fair Labor Standards Act		<input type="checkbox"/> Nonexempt <input checked="" type="checkbox"/> Exempt		d. c. Signature of Classification Official		d. Date
				Francine S. Butch		12/23/94
11. Remarks (Continue on additional sheet(s) if necessary)						
12. Duties and Responsibilities Type on plain bond paper and attach to this form. Use format shown on reverse.						

ATTORNEY-ADVISOR
GS-0905-14

I. INTRODUCTION

This position is located in the Complaints Resolution and External Compliance Unit, Office of Civil Rights (OCR). The incumbent serves as an advisor to the Director, OCR, and other EPA senior management officials, concerning EPA's obligation to enforce and/or comply with applicable Federal Civil Rights statutes, regulations and guidelines. The incumbent is expected to be thoroughly familiar with the relevant guidelines and regulations promulgated by the Departments of Justice, Housing and Urban Development, Labor, Health and Human Services; and the Equal Employment Opportunity Commission, the Merit Systems Protection Board, the Office of Personnel Management, and the Office of Management and Budget. The incumbent has expert knowledge of the legal and administrative process by which the external cross-cutting civil rights laws are implemented.

II. MAJOR DUTIES AND RESPONSIBILITIES

1. Develops Agency-wide standards, writes regulations, rules and guidelines, and prepares handbooks to implement applicable Federal Civil Rights statutes. To ensure uniformed compliance Agency-wide, the incumbent develops administrative procedures for adopting enunciated policies. All issuances are applicable nationwide and apply to EPA grantees, contractors, and other recipients of EPA financial assistance.
2. Assures the adequacy of EPA's administration of applicable Federal Civil Rights statutes involving Federal financial assistance. This includes identifying and defining problem areas of programs that need evaluation; proposing recommendations on the need for new techniques or procedures which result in improved operations, policies and programs; preparing for and briefing top level officials on highly sensitive matters; collecting, analyzing and maintaining data on financial assistance efforts in order to measure the progress of EPA's programs, and coordinating the implementation of procedures to carry out EPA's civil rights policies.
3. Coordinates with appropriate program officials to identify current projects and proposes program initiatives relating to compliance with the civil rights statutes involving Federal financial assistance; assures that Area Directors of Civil Rights and other affected program officials are kept current of new developments, requirements and changes under these statutes.



4. Responsible for the following enforcement responsibilities related to all statutes involving financial assistance:

-- creates greater awareness and sensitivity among EPA personnel to regulations and policies through directions, bulletins, conferences, workshops etc; conducts systematic compliance reviews and on-site complaint investigations of allegations of discrimination filed against recipients of EPA financial assistance which OCR decides to investigate or review. Prepares investigative reports which include findings and recommended decisions, and effects conciliation of all cases where noncompliance or discrimination was found. Such cases may include reviews conducted by regional offices where successful conciliation was not attained by the region;

-- provides expert and technical assistance to regional offices, as requested, on compliance reviews and complaints; reviews regional complaint investigations and compliance reports to insure adequacy of coverage and legitimacy of findings and recommendations. Insures all issues are addressed; all parties with obvious interest are interviewed, and all relevant information is gathered and assessed. Directs additional investigations when necessary, and furnishes technical advice, guidance and assistance needed to support regional reporting required to substantiate or refute complaint allegations;

-- coordinates EPA's enforcement activities with the lead agencies, as required, and assists the Office of General Counsel (OGC) in developing case materials needed to establish EPA's position in litigation of civil rights cases.

5. Performs special studies and prepares reports and position papers on urgent and sensitive matters of particular interest and concern to the Director, OCR. Acts to ensure that particular policies, viewpoints, requirements, and concerns are clearly understood, and that conflicting views or controversial issues are resolved or synthesized.

6. Represents and speaks authoritatively for the Director, OCR, at important meetings and conferences involving high level officials of the Agency, other Federal agencies, State and local governments, citizen groups and others. Presents the Director's point of view and explains policies and programs. Maintains continuous awareness of policy changes, regulations and executive orders that affect EPA's external compliance responsibilities.

III. QUALIFICATIONS

Incumbent must have a bachelors degree, a law degree (LLB or J.D.), and be admitted to the practice of law before a State or District of Columbia Bar.

IV. SUPERVISORY CONTROLS

The incumbent receives general administrative direction. The incumbent designs, plans, and carries out projects with minimal supervision. Work products are considered as technically authoritative and are normally accepted without significant change. Normally, review is only to determine fulfillment of program objectives or impact on the overall program.

V. LIMITATION OF AUTHORITY

1. The incumbent's duties will, under no circumstances, extend to issuing legal opinions or final decisions regarding legal sufficiency of State or Federal laws or interpretation of Federal laws, regulations, guidelines or their implementation.
2. The incumbent is not authorized to sign any documents as attorney for the Environmental Protection Agency.
3. The incumbent is responsible for coordinating legal advice with the Office of General Counsel (OGC) and assuring that such legal advice is consistent with OGC policies, opinions and interpretations.